

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

FREDRICK ROBINSON

PLAINTIFF

VS.

CIVIL ACTION NO.: 3:13-cv-00007-HTW-LRA

**JACKSON STATE UNIVERSITY, DR. VIVIAN
FULLER, INDIVIDUALLY, DR. CAROLYN
MYERS, INDIVIDUALLY, AND JOHN DOES
1-10**

DEFENDANTS

**DEFENDANTS' RESPONSE IN OPPOSITION TO PLAINTIFF'S
MOTION FOR CURATIVE INSTRUCTION AND TO POLL THE JURY**

COME NOW, Defendants, Jackson State University ("Jackson State") and Dr. Vivian Fuller, collectively referred to as "Defendants", by and through their attorneys of record, and submit this *Response in Opposition to Plaintiff's Motion for Curative Instruction and to Poll the Jury*, as follows:

1. Without permission of the Court, Plaintiff filed his Motion for Curative Instruction and to Poll the Jury [Doc. 88] regarding a pending evidentiary issue that arose at trial in this matter on December 19, 2014.

2. As instructed by the Court, Defendants will submit their position and authorities on that issue via a Trial Brief that will be emailed to the Court today. Defendants' Trial Brief is incorporated herein by reference.

3. This Motion is opposed by Defendants and should be denied for the reasons set forth in Defendants' Trial Brief.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request the Court deny Plaintiff's Motion for Curative Instruction and to Poll the Jury.

Dated: December 21, 2014.

Respectfully submitted,

PHELPS DUNBAR, LLP

BY: /s/ LaToya C. Merritt

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I, LATOYA C. MERRITT, do hereby certify that on December 21, 2014 I electronically filed the above and foregoing *Response* with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following counsel of record:

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